

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DEXTER ANDREWS, RAYMOND DUNN,
NUNO GOMES, TITUS ROYAL,
MATTHEW SOLER, and NICHOLAS
YOUNG,

Plaintiffs,

v.

AMAZON.COM, INC.,

Defendant.

Case No. 1:19-cv-11182-MLW
Case No. 1:19-cv-10070-MLW

**DEFENDANT AMAZON.COM, INC.'S MOTION
TO CONSOLIDATE PURSUANT TO FED. R. CIV. P. 42(A)**

Pursuant to Fed. R. Civ. P. 42(a), Defendant Amazon.com, Inc.'s ("Defendant") hereby seeks consolidation of the two-above captioned, duplicative actions currently pending before this Court. Plaintiffs Dexter Andrews, Raymond Dunn, Nuno Gomes, Titus Royall, and Matthew Soler, Nicholas Young (collectively "Plaintiffs")—and their same counsel—have brought the nearly identical above-captioned actions against Amazon. Although Plaintiffs brought one action under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000 *et seq.* (Action No. 1:19-cv-11182) and the other under Massachusetts state law (Action No. 1:19-cv-10070), both actions are premised on virtually *identical* allegations: specifically, Plaintiffs' claim that Amazon maintains a policy of requiring third-party delivery service providers, who employed Plaintiffs and alleged members of the putative class, to terminate that employment relationship due to criminal history and/or driving records in a manner that has an unlawful disparate impact on Blacks and Latinos. Plaintiffs also seek to certify overlapping putative classes and to recover like damages and other relief. Both actions thus require adjudication of common factual and legal issues.

WHEREFORE, for these reasons, and the reasons explained in Defendant's memorandum of law filed herewith, Defendant respectfully requests that this Court consolidate the above-captioned actions pursuant to Fed. R. Civ. P. 42(a).

DATED: July 19, 2019

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By: /s/ Peter J. Mee

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pro hac vice admission.

COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

I, Peter Mee, attorney for Defendant, hereby certify that I have conferred with counsel for Plaintiffs regarding the foregoing Motion. Counsel for Plaintiffs do not consent to the Motion.

CERTIFICATE OF SERVICE

I, Peter J. Mee, hereby certify that, on July 19, 2019, a true and correct copy of the foregoing Defendant's Motion to Consolidate Pursuant to Fed. R. Civ. P. 42(a) was filed electronically and is available for viewing and downloading from the ECF system of the U.S. District Court for the District of Massachusetts by the following:

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